

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

**UNITED STATES OF AMERICA**

**Plaintiff,**

**vs.**

**DETROIT GROUNDS CREW, LLC  
C/O AARON SMITH  
4101 BARHAM ST.  
DETROIT, MI 48224**

**Defendant.**

**Case No:**

**Judge:**

<b>COMPLAINT</b>
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NOW COMES Plaintiff, the United States of America, by and through undersigned counsel, hereby sets forth its Complaint against the Defendant and states as follows:

**I. JURISDICTION AND VENUE**

1. This action to collect an indebtedness is brought by the United States of America on behalf of the Department of Labor pursuant to Title 28, United States Code, §1345 and Title 28, United States Code, §3001.
2. Following an investigation of Defendant's operations, the Department of Labor determined that Defendant Detroit Grounds Crew, LLC<sup>1</sup> violated the Fair Labor Standards Act by failing to pay proper overtime to 190 employees. The due and owing debt resulting from these violations was referred to the United States Department of Justice for enforced collection.

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<sup>1</sup> Upon information and belief Defendant also operates as Michigan Grounds Crew and Motor City Grounds Crew.

3. Defendant, Detroit Grounds Crew, LLC is an active Michigan limited liability company located within the jurisdiction of this Court and may be served process through its statutory agent as set forth on the Michigan Secretary of State's database as follows:

Detroit Grounds Crew, LLC  
c/o Aaron Smith  
4101 Barham St.  
Detroit, MI 48224

## II. FACTS

4. Paragraphs 1-3 of the Complaint are hereby realleged as if fully rewritten herein.
5. On or about April 2, 2021, the Department of Labor issued a Summary of Unpaid Wages following its investigation of Defendant's operations. The amount of back due wages totaled \$171,248.05. A true and accurate copy of the Summary of Unpaid Wages is attached herein as **Exhibit A**.
6. Following the investigation, Defendant entered into a Back Wage Compliance and Payment Agreement in which it agreed to pay the Department of Labor the full amount of back due wages in four (4) installment payments. A true and accurate copy of the Back Wage Compliance and Payment Agreement is attached herein as **Exhibit B**.
7. Defendant submitted the initial payment provided for under the Back Wage Compliance and Pay Agreement, however it failed to comply with the entirety of the repayment agreement resulting in the entire balance becoming immediately due and payable in the principal amount of \$128,435.74. *See Id.*

8. On or around June 2, 2021 the Department of Labor submitted a '10-day demand letter' to Defendant requesting payment of the balance. Defendant failed to respond. A true and accurate copy of the 10 day demand letter is attached herein as **Exhibit C**.
9. Statutory interest, penalties, and costs have been assessed and applied to the principal balance due in accordance with 31 U.S.C. §3717. *See 31 U.S.C. §3717*. Following the application of partial payments, the balance due and owing on the account as of October 8, 2024 totals \$72,248.52. A true and accurate copy of the Certificate of Indebtedness is attached herein as **Exhibit D**.
10. In the context of a previously filed case between the parties involving the same subject matter (case no. 23-cv-10515), Defendant Detroit Grounds Crew agreed to have judgment entered against it in the amount of \$142,911.36, the unpaid balance due and owing on the account at the time the installment payment agreement was executed. An Agreed Judgment Entry shall be filed once the Complaint is docketed in this action.

### **III. COUNT ONE: ACTION ON AN OPEN ACCOUNT-29 USC §216**

11. Paragraphs 1-10 of the Complaint are hereby realleged as if fully rewritten herein.
12. Prior to the application of partial payments applied to the account, Defendant was indebted to the Department of Labor in the single liability amount of \$171,248.05. *See Summary of Unpaid Wages.*

13. The Summary of Unpaid Wages identifies Defendant and each employee owed back wages by name. *See Id.*
14. The Summary of Unpaid Wages contains a balance that is a provable sum in the principal amount of \$171,248.05. *See Id.*
15. The Summary of Unpaid Wages contains a description of each charge comprising the debt and contains a developing balance that permits the calculation of the total balance that remains due and owing. *See Id.*
16. Following the application of partial payments, the balance due and owing on Defendant's account totals \$72,248.52. *See Certificate of Indebtedness.*
17. Demand has been made upon the Defendant for payment of the indebtedness, and the Defendant has neglected and refused to pay the same.
18. Plaintiff is entitled to payment due and owing in the principal amount of \$72,248.52, plus statutory interest, penalties, and costs.
19. The Certificate of Indebtedness shows the total balance due and owing as of October 8, 2024<sup>2</sup> in the amount of \$72,248.52. *See Id.*

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<sup>2</sup> An additional partial payment in the amount of \$5,000 was made since October 8, 2024. The principal balance due and owing as of January 13, 2025 totals \$68,248.52.

20. Pursuant to Title 28, United States Code, §2412 (a) (2), the United States respectfully requests an amount equal to the filing fee prescribed in Title 28, United States Code, §1914 (a).

WHEREFORE, Plaintiff, the United States of America, on behalf of the Department of Labor, respectfully prays for relief as follows:

- a. For judgment in favor of the United States of America and against Detroit Grounds Crew, LLC for the sum of \$142,911.36, plus statutory interest from May 31, 2023, less partial payments received and applied to the account;
- b. An amount equal to the filing fee prescribed in 28 U.S.C. §1914 (a) pursuant to 28 U.S.C. §2412 (a) (2);
- c. Any additional attorney's fees and costs incurred in this action; and
- d. For such other relief as the Court deems just and proper

Date: January 13, 2025

Respectfully submitted,

/s/ Thomas L. Sooy, Esq.

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